

UNITED STATES OF AMERICA,)
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 Plaintiff,)
)
 v.) No. _____
)
 ALAN C. LEE,)
)
 Defendant.)
 _____)

The United States of America, at the request of the Chief Counsel of the Internal Revenue Service, a delegate of the Secretary of the Treasury, and at the direction of the Attorney General of the United States, brings this action to collect the unpaid federal income taxes and statutory additions to tax assessed against the Defendant, Alan C. Lee, and to obtain an order requiring the Defendant to make estimated payments of federal income taxes to the Internal Revenues Service and file all federal income tax returns on a timely basis.

1. The Court has jurisdiction over this action under 28 U.S.C. §§ 1340 and 1345, as well as 26 U.S.C. § 7402.

2. Venue is proper in this Court pursuant to 28 U.S.C. § 1396 because Alan C. Lee resides in this district.

3. Plaintiff is the United States of America.
4. Defendant Alan C. Lee resides in Newport, Tennessee, within the jurisdiction of this Court.

**COUNT I – REDUCE INCOME TAX ASSESSMENTS
AGAINST ALAN C. LEE TO JUDGMENT**

5. The allegations set forth in paragraphs 1 through 5 are realleged and incorporated by reference.

6. In accordance with 26 U.S.C. § 6201, a delegate of the Secretary of the Treasury of the United States made assessments against Alan C. Lee for income taxes as follows:

PERIOD	DATE ASSESSED	AMOUNT ASSESSED
12/31/2005	11/07/2011	\$56,663
12/31/2006	12/05/2011 & 7/30/2012	\$5,114 & \$6,026
12/31/2007	02/06/2012	\$10,724
12/31/2008	02/06/2012 & 9/10/2012	\$6,783 & \$4,036
12/31/2009	04/30/2012	\$31,363
12/31/2010	04/30/2012	\$29,832
12/31/2011	07/07/2014	\$20,650
12/31/2012	09/15/2014	\$66,306
12/31/2013	09/15/2014	\$40,238

7. Notice and demand for payment of the assessments described above in Paragraph 7 was given to Alan C. Lee.

8. Alan C. Lee has failed to pay the United States the full amount owed as a result of the tax assessments made against him and therefore interest and penalties have accrued on the assessments.

9. By reason of the foregoing, as of November 30, 2015, Alan C. Lee is indebted to the United States for federal income taxes, penalties, and interest for the 2005 through 2013 tax years, inclusive, in the amount of \$431,741.42 plus interest that has accrued and will continue to accrue according to law subsequent to that date.

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**COUNT II: PERMANENT INJUNCTION REQUIRING ALAN C. LEE TO
COMPLY WITH INTERNAL REVENUE LAWS**

10. The United States incorporates and realleges Paragraphs 1 through 9, above, as if fully set forth herein.

11. Section 7402(a) of the Internal Revenue Code (26 U.S.C.) authorizes the district court to issue orders and injunctions as may be necessary or appropriate for the enforcement of the internal revenue laws.

12. Defendant Lee is an attorney and operates his law practice in Tennessee.

13. As a self-employed individual, Defendant Lee is required to make estimated federal tax payments on a quarterly basis, as codified in I.R.C. § 6654 (c). Each quarterly payment must be 25 percent of the “required annual payment” which is defined in I.R.C. § 6654 (d)(1)(B).

14. Lee is also required to file yearly income tax returns pursuant to I.R.C. § 6012.

15. Lee has flouted the tax laws by failing to make estimated payments of his federal taxes on a quarterly basis in amounts sufficient to satisfy his federal income tax liabilities, and by failing to timely file his yearly income tax returns.

16. As of November 30, 2015, the Defendant is indebted to the United States for unpaid federal income taxes in the amount of \$431,741.42.

17. The Defendant’s refusal to make his estimated federal income tax payments and timely file his income tax returns interferes with the enforcement of the internal revenue laws, and has caused and continues to cause the United States irreparable harm for which there is no adequate remedy at law.

18. The Internal Revenue Service has taken numerous actions in an attempt to encourage Lee to pay his outstanding tax liabilities, including the following:

a. The Internal Revenue Service issued and sent numerous notices to Lee, including notices of intent to levy and final demand for payment for the years 2005 through 2013, inclusive. Lee has failed to fully pay his tax liabilities after receiving these notices.

b. The Internal Revenue Service has undertaken enforcement collections action by serving administrative levies to collect Lee's outstanding federal income tax liabilities. The United States does not anticipate receiving funds pursuant to the levies in an amount sufficient to satisfy Lee's outstanding tax liabilities.

19. Absent an injunction, the Defendant's non-compliance with his payment obligations will almost assuredly continue, resulting in irreparable harm.

20. The anticipated violations jeopardize the effective enforcement of the income tax laws.

21. The Defendant's blatant disregard for the tax laws of the United States could have a negative compliance impact on others by encouraging others not to comply.

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WHEREFORE, Plaintiff, the United States of America, prays as follows:

A. As to Count I, that this Court order and adjudge that as of November 30, 2015, Alan C. Lee will be indebted to the United States in the amount of \$431,741.42 relating to income tax, penalties, and interest for the 2005 through 2013 tax years, inclusive, together with statutory additions and interest according to law.

B. As to Count II, that the Court issue an Order providing the following:

1. That Alan Lee has engaged and is engaging in conduct interfering with the enforcement of the internal revenue laws, and that injunctive relief under 26 U.S.C. § 7402(a) and the Court's inherent equity powers is appropriate to stop that conduct.
2. Enter a permanent injunction requiring the Defendant, for a period of five years, to make all current or future estimated tax payments of his Form 1040 tax liabilities in full and on the schedule prescribed by Section 6654 of the Internal Revenue Code.
3. Enter a permanent injunction requiring the Defendant, for a period of five years, to file all of his current or future Forms 1040 and to pay the balances due upon them, on a schedule prescribed by the Internal Revenue Code.
4. Enter a permanent injunction requiring the Defendant, for a period of five years, to provide clear documentation to the Internal Revenue Service, quarterly, demonstrating that he has made timely paid estimated income tax payments within thirty days from the date such payment are due.
5. Enter a permanent injunction requiring the Defendant, for a period of five years, to submit an annual certification, under penalty of perjury, and supporting

documentation to the Internal Revenue Service showing that he has timely filed his most recent federal income tax return and timely paid the full amount due reported on those returns within thirty days of the due date of the return;

6. That the Court retain jurisdiction over this case to ensure compliance with this injunction; and

7. That the Court grant the United States such other relief, including costs, as the Court deems appropriate.

DATED: February 23, 2016

CAROLINE D. CIRAOLLO
Acting Assistant Attorney General

NANCY STALLARD HARR
United States Attorney

/s/ Stephen A. Josey
STEPHEN A. JOSEY
TN BPR #: 031179
Trial Attorney, Tax Division
U.S. Department of Justice
P.O. Box 227, Ben Franklin Station
Washington, D.C. 20044
202-307-1427 (v)
202-514-6866 (f)
Stephen.a.josey@usdoj.gov